Remarks

Claims 1-4 and 6-11 remain in the application. Independent claims 1 and 10 have been amended to address indefiniteness complained of by the Examiner, as well as inconsistency between the claims, the illustrated embodiments and the corresponding written description. Moreover, the claims are considered to expressly define the present invention over the teachings of the prior art references of record as argued in greater detail below. Accordingly, the application is now considered in condition for allowance.

The Examiner objected to the drawing as failing to show every feature specified in the claims insofar as the combination of the features of claim 5 and claim 1 was not shown. Accordingly, claim 5 has been canceled from the present application. As a result, the combination of features need not be shown in the drawing and the requirement to correct drawing sheets should be withdrawn.

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. However, the ends of the coils and the ends of the strands are both shown in the drawing and referred to in corresponding sections of the written description. Nevertheless, to avoid the Examiner's confusion between portions of the spring strand that can be configured, and the ends of the coiled strand portion which are merely terminal portions of the coiled strand portion having two ends, the claims and the written specification have been amended to emphasize strand ends that may be configurable portions of the strand, according to the disclosure. The recitation of coil ends that merely define terminal portions of the coil strand portion are now consistently recited as ends of the coiled strand portion in both the written description and claims. Accordingly, the claim limitations as amended are fully supported by the written description in the specification at page 7, and the features illustrated in the drawing figures. Accordingly, these amendments do not add new matter to the application and are fully supported by the original disclosure as illustrated and described.

The Examiner also objected to the claims arguing that the first strand end recited in claim 4 might be the same as the first end and second end recited in claim 1. As claim 1 has now been amended, the claim expressly defines the difference between the portions of the strands such as the end which may be configured, and the coil ends are merely terminal portions of a coiled strand portion formed by the strand. The Examiner also made objections to claim 10 as to the first coil end in line 8 and the inadvertently included common in line 9. Both the suggested spelling and punctuation amendments have been made and are consistent with the original disclosure including the illustrated drawing figures and corresponding written description. As a result, these changes do not add new matter to the application.

The Examiner rejected claims under 35 U.S.C. § 112 as indefinite. As discussed above, the Examiner's difficulty with understanding the difference between strand ends and coil ends has been addressed by redundantly reciting the strand ends as portions of a strand that may be configured, including intermediate portions of the strand that may be formed in coiled strand portion or an intermediate longitudinally extending portion. In contrast, the coil ends are defined only as terminal portions of the coiled strand portion and do not have any configurable features. They define only terminal portions for the coiled strand area. As a result, the configurable end portions of the strand are separately defined from the coil ends, the terminal portions of the coiled strand portion formed by the strand. As a result, the limitations of independent claims 1 and 10 are particularly and definitely defined in the manner supported by the original disclosure including the illustrations of the drawing figures and corresponding written description. Nevertheless, to clarify consistency between these features and the written description, additional clarifications have been added to the specification on page 7 to maintain consistency with the claim limitations. Nevertheless, these features are fully supported by the original disclosure and do not add new matter to the application.

As a result, the Examiner's objections to "a laterally coiled strand" has been overcome by amendment to refer to the coiled strand portion. In addition, lack of antecedent basis for "said coil" is similarly addressed by the express reference to the coiled strand

portion. Moreover, the Examiner's inquiry as to whether ends refers to a point or a portion is now clarified by the express references to strand ends as portions of the strand that may be configured, while coil ends, merely a terminal portion of the coiled strand portion, are expressly, consistently, referred to as such. As a result, the Examiner's inquiries as to points and ends has been addressed by utilizing consistent written descriptions throughout the specification and the claims as supported by the original drawing figures and description. Likewise, method claims 10 and 11 include similar express limitations regarding portions of the strand that may be configured, and coil ends as terminal portions of a coiled strand portion. As a result, the claims definitely define the present invention without adding new matter to the application.

The Examiner rejected claims 1 and 4-10 under 35 U.S.C. § 102(b) as anticipated by the patent to Germann. However, unlike the spring structure of the present invention, Germann teaches strand ends that remain spaced apart from each other even though they may be configured inwardly toward the center of the coiled strand portion from which they extend. There is no teaching or suggestion in Germann that the configurable strand ends are aligned at a single end of the laterally coiled strand portion as now particularly defined in the claims. Moreover, the Examiner's argument that the strand ends terminate at a substantially co-planar position substantially at the vertical plane defined by 11 does not demonstrate the claimed invention of strand ends reaching the same (first) end position of a coiled strand portion. As a result, Germann fails to anticipate the claimed invention as particularly defined in claims 1 and 10. Likewise, dependent claims 2-4, 6-9 and 11 particularly and patentably define the features of the present invention over the teachings of Germann and any suggestions or motivations to modify the structure taught by Germann.

The Examiner also rejected claims 2, 3 and 11 under 35 U.S.C. § 103(a) as unpatentable over Germann in view of Herzfeld. The Examiner admitted that Germann does not show a longitudinally extended portion of the spring to be positioned coaxially or aligned within the coil. The Examiner argued that Herzfeld teaches a spring that includes a laterally coiled strand portion having coil ends and a longitudinally extended portion extending from

the second coil end to the first coil end. As acknowledged by the Examiner, this arrangement of Herzfeld allows for a hinge to have a coil spring in a hinge pin opening that acts as both the hinge pin and a bias to the hinge. However, such teachings do not motivate the skilled artisan to combine the teachings of Herzfeld with Germann.

As expressly acknowledged by Herzfeld, the object of the invention is accomplished by use of a single coil spring sized to fit in a hinge pin opening formed by cooperating ears of two hinge parts. Such a combination is a substantial departure from the teachings of Germann in which no hinge part ears enclose or encompass the laterally coiled strand portion. The pivot link 20 of Germann in the bracket 11 does not include or form a hinge pin receiving portion, or include cooperating ears to receive a coiled strand portion. Rather, the coiled strand portion of Germann is positioned on an axis parallel to and spaced from the pivot pin 25. As a result, neither Germann nor Herzfeld teach or suggest how the coiled spring structure of Herzfeld may be incorporated with the automotive hinge 20 of Germann.

In view of the foregoing, applicant respectfully submits that the present application is now in condition for allowance, and such action is respectfully requested.

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Respectfully submitted,

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